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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 3rd April, 2021.

CONSTITUTION OF INDIA

No : GH/2021/3/MKM/112020/238162/A:- In exercise of the power conferred by the proviso to article 309 of the Constitution of India and in supersession of all the rules made in this behalf, the Governor of Gujarat hereby makes the following rules to provide for regulating the conditions of service of persons appointed to the post of Social Welfare Inspector, Class III in the Directorate of Developing Caste Welfare, under the Social Justice and Empowerment Department, Gujarat State in so far as they relate to the passing of departmental examination for promotion to the post of Assistant Social Welfare Officer, Class III, namely.

1. Short title, extent and commencement.

- (1) These rules may be called Assistant Social Welfare Officer, Class III (Departmental Examination) Rules 2021.
- (2) They shall come into force from the date of their publication in the *Official Gazette*.
- (3) They shall apply to the persons appointed as Social Welfare Inspector, Class III in the Directorate of Developing Caste Welfare, under the Social Justice and Empowerment Department, Gujarat State whether by promotion or otherwise.
- (4) Notwithstanding anything contained in sub-rules (3), where any such person has before the appointed date passed the relevant departmental examination or has been exempted under the old rules from passing the relevant examination, shall not be required to pass the departmental examination.

2. Definitions.-

In these rules, unless the context otherwise require,-

- (a) “Appendix” means an Appendix appended to these rules;
- (b) “appointed date” means the date on which these rules shall come into force;

- (c) “Board” means the Gujarat Subordinate Service Selection Board, Gandhinagar or such institute as may be specified by the Government;
- (d) “Departmental Examination” means the departmental examination for promotion to the post of Assistant Social Welfare Officer, Class III in the Directorate of Developing Caste Welfare, Gujarat State;
- (e) “Direct recruit” means a person appointed as Social Welfare Inspector, Class III otherwise than by promotion;
- (f) “Government” means the Government of Gujarat;
- (g) “old rules” means “Gujarat Social Welfare Department (Conditions of Service Relating to sub service Department and Higher Departmental Examination) Rules-1976” and “Gujarat Social Justice and Empowerment Department (Conditions of Service Relating to sub service Departmental and Higher Departmental Examination) Rules, 2008”;
- (h) “Relevant Departmental Examination” means the Departmental examination prescribed under the old rules;
- (i) “specified chances” means the number of chances specified in these rules within which a person is required to pass the examination;
- (j) “specified period” means the period specified in these rules within which a person is required to pass the relevant examination.

3. Eligibility to appear in the Examination.

- (a) No person shall be eligible to appear at the departmental examination unless he has completed three years service after his appointment on post of Social Welfare Inspector, Class III.
- (b) No person shall be eligible to appear in the departmental examination unless he has passed the Post-training examination for existing post or he has been exempted from the Post-training examination by Competent Authority, if any.
- (c) To be eligible for promotion to the post of Assistant Social Welfare Officer, Class III a person shall be required to pass the departmental examination within a period of three years and within three chances.

Provided that any person has before the appointed date passed the relevant departmental examination or has been exempted under the old rules from passing the relevant departmental examination, shall not be required to pass the departmental examination.

Provided further that a person belonging to Scheduled Castes or Scheduled Tribes may be given one additional chance which shall have to be availed of within a period of one year from the date of the declaration of the result of the examination of his third chance. Provided also that where the period of passing the departmental examination expires before providing the person, the chances available to him under these rules, the said period shall be deemed to have been extended up to the result of the examination.

- (d) The chances for passing the relevant departmental examination shall be deemed to have been provided under these rules and a person who has been provided any chance under the old rules shall be allowed to avail the remaining chances under these rules.
- (e) If a person, fails to pass the departmental examination, referred to in these rules within the specified period and specified chances, he shall, notwithstanding such failure, be eligible to appear in the departmental examination at any time on payment of an examination fees as may be determined by the Government from time to time in this behalf and on passing the such departmental examination, he shall be eligible for promotion:

Provided that the person shall not be entitled to claim seniority over those persons who have passed the departmental examination earlier than him and also have been promoted before he became eligible for such promotion on passing departmental examination after specified chances;

4. Paper and Syllabus.

- (1) The syllabus of the examination shall be as specified in the Appendix 'A' appended to these rules.
- (2) The examination shall consist of five papers having 100 (one hundred) marks each. The examination shall consist of Multiple Choice Questions (MCQ) except Paper V which will be descriptive. Answers in Paper V shall be required to be written in English or Gujarati, as per the instructions given in the question paper.
- (3) The Candidate shall be allowed to answer the entire subjects of papers I to IV with the help of Books, except paper-V which shall be without books.

Explanation. -“With books” means original book of the subjects approved by the Government or Institute which includes bare Acts and / or rules without any commentaries or case laws and includes manuals issued under the Act published as approved by the Government.

5. Holding of Examination.

- (1) The Departmental examination shall be held ordinarily twice in a year by the Board.
- (2) The place, date and time for holding the Departmental examination shall be communicated by the Board to the Directorate of Developing Caste Welfare Department under intimation of the Secretary to the Government of Gujarat, Social Justice Empowerment Department, Gujarat State, and the same shall be communicated to the candidates by the Directorate of Developing Caste Welfare.

6. Application for appearing in the Departmental Examination.

- (1) A person who desires to appear at the examination shall be required to submit his application for enlisting his name as a candidate for such examination to the board through the Director Developing Caste Welfare, Gujarat State, in the form as prescribed in Appendix 'B' at least sixty days before the date of the commencement of the examination.
- (2) The Director, Developing Caste Welfare shall scrutinize the application and ascertain his eligibility for appearing in the departmental examination in accordance with these rules. The Director, Developing Caste Welfare shall forward the same along with the Certificate of Eligibility as specified in Appendix - 'C' under this rules to the Board.
- (3) The Board shall admit the candidate to the examination on the strength of the certificate issued by the Directorate of Developing Caste Welfare.
- (4) If the applicants subsequently decides not to appear at the Examination, he shall give an intimation thereof to the Board through the Directorate of Developing Caste Welfare, at least thirty days before the date of the commencement of the examination.
- (5) In the event of any person failing to appear at the examination after having enlisted his name as a candidate for appearing as such but without intimating as aforesaid, he shall be deemed to have lost one chance to pass the examination:

Provided that the government may condone such failure on the part of the concerned person to give intimation as referred to in sub-rule (4) and the consequence arising there from if it is satisfied that the person has failed to give intimation within time for the reason beyond his control.

7. Standard for passing Examination.

- (1) The standard for passing the examination shall be of fifty percent (50%) of the total marks assigned to each paper;
- (2) An unsuccessful candidate who has secured sixty per cent (60%) or more marks in any one or more papers shall be exempted from appearing in those papers at the subsequent examination;
- (3) The candidate who secures eighty percent (80%), or more aggregate marks in the examination in the first chance shall be paid cash amount as an incentive as determined by the Government.

8. Publication of result.- The result of examination shall be published by the Board in the *official gazette* and shall forward to the Director, Developing Caste Welfare, Gujarat State under the intimation to the Social Justice and Empowerment Department. The Director Developing Castes Welfare, Gujarat State shall intimate the result to the candidates.

9. Prohibition to use certain devices in the exam hall.- The candidate shall not be allowed to carry with him any electronic communication devices like cellular phone, calculator, pager, etc. in the examination hall.

10. Mark- Sheet and rechecking of Marks. The candidate, who desires to have his marks of the examination rechecked, may apply to the Board, through the Director Developing Caste Welfare, along with such fees as may be fixed by the Board for each paper within a period of thirty days from the date of declaration of the final result of the examination.

APPENDIX “A”

**Syllabus for promotion to the post of Assistant Social Welfare Officer, Class III,
Departmental Examination
(See rule 4 (1))**

PAPER I - Service Matters :**(Duration: 3 Hrs With Books)****Marks:100**

1. The Gujarat Civil Services (Conduct) Rules, 1971.
2. The Gujarat Civil Services (Discipline and Appeal) Rules, 1971.
3. The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
4. The Prevention of Corruption Act, 1988.
5. The Gujarat Civil Services Rules, 2002 (Vol. I to VIII).

PAPER II - Financial Matters :**(Duration: 3Hrs With Books)****Marks:100**

1. The Gujarat Financial Rules, 1971.
2. The Gujarat Treasury Rules, 2000.
3. The Bombay Contingent Expenditure Rules, 1959.
4. The Gujarat Budget Manual, Part I and II.
5. The Delegation of Financial Powers.
6. Purchase policy of Government of Gujarat.

PAPER III - Office Procedure, Act and Rules.**(Duration:3 hours, With Books)****Marks:100**

1. Constitution of India with reference to,
 - (1) Article 309;
 - (2) Election Commission;
 - (3) Finance Commission;
 - (4) Concurrent list and State List.
2. The Protection of Children from Sexual Offences Act (POCSO), 2012.
3. The Gujarat Legislative Assembly Rules.
4. The office procedure manual (Non-secretariat)
5. The Gujarat Civil Services Tribunal Act, 1972.
6. The Right to Information Act, 2005.

PAPER IV-Departmental Acts and Rules**(Duration: 3 Hours, With Books)****Marks-100**

1. Welfare schemes for S.E.B.C., E.B.C., Minority, N.T.D.N.T. and Govt. of India's Centrally Sponsored Schemes including Ministry of Minority Affairs Department. - 20 Marks
2. Recommendation of Baxi Commission report and Action taken by Government. - 15 Marks.
3. Caste Certificate for SEBC, Creamy Layer and Provision of Scrutiny Committee. Various committees for welfare of SEBC. -20 Marks.
4. Ideal Residential Schools for SEBC and Agariya community run by Developing caste welfare department and Samras Hostel's in the Gujarat State. -15 Marks.
5. Corporation for the welfare of backward classes and its function. -15 Marks.
6. Gujarat (Right of Citizen to Public Service) Act, 2013 -15 Marks.

PAPER V - NOTING DRAFTING AND GUJARATI - ENGLISH LANGUAGE:**(Duration : 3 hours, Without Books)****Marks-100**

1. Noting and Drafting in English and Gujarati -15 Marks
2. High Court Matters Preparation of para wise remarks, Filling of Affidavit & Drafting of 'Speaking Orders' - 20 Marks
3. Translation from English to Gujarati and from Gujarati to English - 10 Marks
4. English & Gujarati Grammar - 25 Marks
5. Essay in English and Gujarati - 15 Marks
6. Government Correspondence - different type of letters and difference between them. -15 Marks

APPENDIX 'B'**Application for appearing at Assistant Social Welfare Officer, Class III, Departmental Examination, to be held by the Board.****(See rule 6 (1))**

1.	Applicant's name in full (Surname first) (In English and Gujarati):	
2.	Designation (In English and Gujarati):	
3.	Name of the office in which at present serving:	
4.	Birth date and age at the time of this examination.	
5.	Date of appointment and total years of service:	
6.	Whether the applicant had appeared at the Examination previously if so-	
	(a) Month and year of examination at which he appeared:	
	(b) Whether any exemption is earned. If so, details of marks, Year of examination and subject should be given:	
	(c) Whether the applicant intends to avail of exemptions earned ? State "Yes" or "No" (The choice will be treated as final and no change shall be allowed):	
7.	Authority of the Rule under which the applicant has to Appear for the examination:	
8.	Number of chances and time limit within which the applicant is required to pass the examination (date of expiry of the period for appearing at the examination should be mentioned):	
9.	Number of trials exhausted.	
10.	Whether additional (special chance) has been granted? Number and date of orders, under which the additional chance has been granted to the applicant should be specified and a copy thereof should be sent):	
11.	Purpose of passing the examination (e.g. confirmation, retention in Government service, promotion, etc.):	
12.	Whether the applicant is eligible to appear at the examination according to the rules of the Departmental Examination:	
13.	Number and date of orders relaxing age and service limit from competent authority (copies of orders should be attached)	
14.	Remarks, if any:	

Place:

(Signature of the applicant)

Date:

APPENDIX 'C
CERTIFICATE OF ELIGIBILITY
(See Rule 6(2))

Certified that -

- (1) The above particulars are verified and found correct. Shri/Smt./Kum.....
..... is eligible to appear at the Assistant Social Welfare Officer, Class III, Departmental Examination, for promotion to the post of Assistant Social Welfare Officer, Class III, to be held in20.....
- (2) * Necessary fee is paid, copy of Challan is attached herewith.
- (3) *Candidate is granted additional chance, a copy of order is attached.

Place:

(Signature and designation of the Head
of Department/Office)

Date:.

* Strike out whichever is not applicable.

By order and in the name of the Governor of Gujarat,

VISHNU PATEL,
Deputy Secretary to Government.
